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[redacted] Release 1966 CIA-RDP75-00149R000100700002-5

(86-13)

CIA

PROCEEDINGS AT THE CLOSED-DOORS SESSION OF THE SENATE ON JULY 14, 1966

ORDER TO PUBLISH

Mr. MANSFIELD. I now ask unanimous consent that there be a sanitized version of these proceedings prepared, that it be under the authority of the chairman and the ranking minority members of the Armed Services Committee and the Appropriations Committee and the Foreign Relations Committee; that they will take out anything which might be detrimental and that the record be made public, and that any Senator who participated shall have the right to correct his own remarks.

The PRESIDING OFFICER (Mr. INOUYE). Is there objection?

The Chair hears none and it is so ordered.

Mr. MANSFIELD. Mr. President, I move that the Senate go into closed session.

Mr. DIRKSEN. I second the motion.

The VICE PRESIDENT. The Chair wishes to make a statement.

The motion having been made and seconded that the Senate go into closed session, the Chair, pursuant to Rule XXXV, now directs the Sergeant at Arms to clear the galleries, close the doors of this Chamber, and that all officials of the Senate not cleared for secrecy be excluded.

(At 12 o'clock and 25 minutes p.m. the doors of the Chamber were closed.)

PROPOSED COMMITTEE ON INTELLIGENCE OPERATIONS

Mr. MANSFIELD. Mr. President, in addition to the demand or the request or the suggestion of the Presiding Officer that the Senate Chamber and the galleries be cleared of all persons except the Senators, I move that the following staff members be allowed to remain:

The Secretary of the Senate, Mr. Frazier;

The Parliamentarian, Mr. Riddick;

The Legislative Clerk, Mr. Mansur;

The Journal Clerk, Mr. Somers;

The Official Reporters, Messrs. Drescher, Attig, Cinciotta, and Perry;

The Secretary to the Majority and Minority, Messrs. Valeo and Trice;

The Assistant Secretaries to the Majority and the Minority, Messrs. Graves and Brownrigg;

The General Counsel to Majority Policy Committee, Mr. Ferris;

The Sergeant at Arms, Mr. Dunphy;

The Deputy Sergeant at Arms, Mr. Wannall;

The Administrative Assistant to the Sergeant at Arms, Mr. Lacovara;

The Staff Director of the Committee on Foreign Relations, Mr. Marcy;

The Chief of Staff of the Committee on Armed Services, Mr. Darden.

Mr. RUSSELL of Georgia. Mr. President, was the name of Mr. Woodruff, of the Committee on Appropriations, called?

Mr. MANSFIELD. No.

Mr. RUSSELL of Georgia. He has just taken the oath. Does the majority leader wish to have Mr. Woodruff remain?

Mr. MANSFIELD. Mr. President, I would include also the name of Mr. Woodruff, who, I understand, has been sworn.

The VICE PRESIDENT. Without objection, Mr. Woodruff will remain.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Official Reporters be authorized to take proceedings of the closed session in shorthand but that the notes not be transcribed; and that, when the session is concluded, they be placed in the custody of the Secretary of the Senate and kept secret by him along with other minutes and matters of such nature already in his custody.

Mr. FULBRIGHT. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Arkansas will state it.

Mr. FULBRIGHT. Does this proposal include a vote which may be taken on this matter? If so, I think that should be stated.

Mr. MANSFIELD. Going back to the only previous closed session of which I have knowledge, a vote was taken at that time, and I believe the result was announced.

Mr. RUSSELL of Georgia. I ask that the distinguished majority leader withhold that for the time being. I do not know that I shall have any objection. I really did not see any necessity for going into a closed session. But I do not oppose the leadership, because I am sure their combined wisdom is greater than mine. Certainly any vote that has been taken in a closed session that I have ever attended has been made a matter of public record.

Mr. MANSFIELD. I think it should be.

The VICE PRESIDENT. Will the Senators indulge the Chair for a moment? The precedent in the rules is that any action taken now in the closed session is closed, and that means that it is in secret. It can be divulged only by specific affirmative action by the Members of the Senate or by a majority of the Senate.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that any vote that is taken be made public.

The VICE PRESIDENT. Is there objection? Hearing none, it is so ordered.

Mr. MANSFIELD. If I may make one more request, Mr. President, I ask unanimous consent that when the hour of 1 o'clock arrives, if the matter now before the Senate has not been concluded—and I feel certain that it will not be—the time be ignored and we continue on the present subject.

The VICE PRESIDENT. Is there objection? Hearing none, it is so ordered.

Has the Senator from Montana now placed before the Senate his requests on all the matters to be presented?

Mr. MANSFIELD. I have.

Mr. HICKENLOOPER. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Iowa will state it.

Mr. HICKENLOOPER. My question goes to this action: I merely wonder how anyone hereafter who wants to announce his vote or wants to say anything about his vote in public can do so if the action we take here is secret with the exception of the vote. How are we going to do that if the vote is to be announced?

Mr. MANSFIELD. Well, the votes have been announced.

Mr. HICKENLOOPER. I understand that the unanimous-consent agreement is a part of the secrecy of the meeting. How do we get around that?

Mr. MANSFIELD. The subject, of course, and the vote would both be made public; and before we went into closed session, everyone was aware of the question that was raised by the distinguished Senator from Georgia [Mr. RUSSELL], chairman of the Committee on Armed Services.

Mr. HICKENLOOPER. I have no objection to making the result of the vote public.

Mr. MANSFIELD. This is an unusual procedure.

Mr. SYMINGTON. Mr. President, reserving the right to object, I am disappointed we are now going into a closed session. There has been some criticism of the Senate being a club, that the Members do not like to have facts discussed released when it is not to their convenience. I would therefore ask this question, and premise it by the statement that there has been, in my opinion, many assertions which are unfounded, with respect to the operations of the Central Intelligence Agency. I say that after having made extensive trips to the Far East, Middle East and Europe, and during those trips doing my best to find out whether this basic question was true or not: Does the CIA make policy?

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Let us suppose that all the bad suspicions that have been ventilated this afternoon are true, and that sending this, by sustaining the point of order, to the Armed Services Committee means that it is buried there. I do not think it would be, but let us assume that. May I point out that the Senate is not without a great family of legislative tools by which we can reactivate this discussion. There is no way, by sustaining the point of order, that we bury this issue in the Armed Services Committee, in limbo and in perpetuity. If a majority of the Senate decide they want to bring it back for decision and for amendment to protect seniority rights if we so desire, we can do it through a series of approaches. We can do it by an amendment to an appropriations bill dealing with the appropriations for the CIA, because we can put it on as a restrictive rider. That has been done before. We can do it by an amendment to some other piece of legislation. The Senate can force its will, and I think that the proper thing to do, under these circumstances, is to sustain the point of order, see what happens for a given period of time in the Armed Services Committee, and then, if a majority of the Senate is dissatisfied with what they have done, reactivate it by any one of a whole series of legislative tools we have available. We are not deciding the issue forever and a day as of now.

Mr. PASTORE. But does not the Senator feel that since we have been behind closed doors now for about 3 or 4 hours, the eyes of the country are upon us?

Mr. MUNDT. And they are not seeing anything.

Mr. PASTORE. They are not seeing anything, but they are wondering what is transpiring here. Would it not be more comforting and reassuring to the people of the United States of America, when we go out of here, if they learn that as gentlemen we agreed to do something, not that we had to split our lines and be recorded as being pro or con on the proposition.

As the Senator has pointed out, this is not a final vote. It will decide nothing. This is merely a vote on jurisdiction; and many of us feel—I, for one—that possibly there ought to be some participation on the part of the Foreign Relations Committee on some sort of committee, whether a standing committee, a select committee, or some group of the Senate.

I am one of those who feel that the Armed Services Committee has primary jurisdiction, and they should be given an opportunity to look at this. If we can do it by agreement, I think it would look a lot better.

Mr. MUNDT. That would suit me perfectly.

Mr. PASTORE. And it would look as if, after all, we sat here as reasonable people and decided that on an amicable basis. If we did that, the country would be refreshed, and reassured.

Mr. MUNDT. If that could be done.

Mr. PASTORE. But this insistence that "I will prove that I am right and you are wrong" is not going to decide anything, because this is going to brew and brew until one day we decide whether it is right or wrong to have members of the Foreign Relations Committee participate.

Mr. MUNDT. It would make me very happy if we could do it by an amicable process. I simply wish to point out, that however we do it, we arrive at the same legislative home, with the same results and the same opportunities to reactivate it at any time a majority of the Senate desires.

Several Senators. Vote. Vote.

Mr. MANSFIELD. Mr. President, I am quite certain in my own mind, at least, that the distinguished Senator from Georgia and his committee will not be too unreasonable in seeking a solution to the question which is before us at the moment.

But, having said that, I now ask unanimous consent that there be a sanitized version of these proceedings prepared, that it be under the authority of the chairman and the ranking minority members of the Armed Services Committee and the Appropriations Committee and the Foreign Relations Committee; that they will take out anything which might be detrimental, and that the record be made public and that any Senator who participated shall have the right to correct his own remarks.

The PRESIDING OFFICER (Mr. INOUYE in the chair). Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I move that the Senate now go out of closed session and return to regular legislative session, for the vote.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and, at 4 o'clock and 5 minutes p.m., the Senate returned to open legislative session.

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